

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

MARTIN SOUDANI a/k/a MOUTAZ
SOUDANI

Plaintiff

Case Number

vs.

7:25 cv 00176

MOUT'Z SOUDANI, in his individual capacity and
in his capacity as the Trustee of the MOUT'Z. F.
SOUDANI and ELIZABETH I. RUTTKAY A/K/A
ELIZABETH SOUDANI IRREVOCABLE LIVING
TRUST

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

United States of America

Plaintiff

Case Number

vs.

7:24 cr 00555 (CS)

Mout'z Soudani

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

Mout'z Soudani is currently out on bail. Discovery is moving forward. A court conference scheduled for January 23, 2025.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

This newly filed case is against Mout'z Soudani for is breach of fiduciary duty, a trust accounting, and his removal as Trustee of an irrevocable trust (the "Trust"). The Trust was the subject of a bail hearing held before Judge Seibel on November 1, 2024 in the first-filed case. At that bail hearing, the Government's and Mr. Soudani's counsel argued before Judge Seibel about the status of that Trust and Mout'z Soudani's supposed right to use assets from that Trust for his bail. The newly filed case concerns the same issues regarding the purported rights of Mr. Soudani to the assets in the Trust. In addition, examples of Mr. Soudani's breach of his fiduciary duties described in the newly-filed complaint are improper payments Mr. Soudani made from the Trust to ADA Martin Rosenwasser, which is also the subject of the first-filed criminal case before Judge Seibel

Furthermore, Martin Soudani, the plaintiff in the newly-filed case, is filing an order to show cause with a request for a temporary restraining order simultaneously with the filing of the complaint, requesting that Martin Soudani be suspended as Trustee of the Trust pending a hearing.

Plaintiff respectfully submits that assigning the newly filed case to Judge Seibel, who is familiar with the Trust and the issues surrounding it, will be the most efficient way for the newly-filed case to move forward.

Signature: /s/ Aytan Y. Bellin

Date: 1/8/2025

Katsky Korins LLP

Firm: _____